

An injury which occurs going to or from work may be compensable if it occurs on the employer's premises. The term "premises" is defined in *Thompson v. Law Offices of Alan*

Joseph, 19 Kan. App. 2d 367, 869 P.2d 761, aff'd, 256 Kan. 36, 883 P.2d 768 (1994). The court there held:

"[W]e are ultimately guided by the previously cited Kansas authorities which indicate that Kansas narrowly construes the term 'premises' to be a place controlled by the employer or a place where an employee may reasonably be during the time he or she is doing what a person so employed may reasonably do during or while the employment is in progress." (*Id.* at 373, 374)

The Appeals Board finds the evidence does not establish that the location of claimant's accident was either: (1) controlled by the employer; or (2) a place where an employee would be during the period of her employment.

WHEREFORE, the preliminary Order of Administrative Law Judge Shannon S. Krysl dated March 29, 1996 should be, and the same is hereby, affirmed.

IT IS SO ORDERED.

Dated this ____ day of June 1996.

BOARD MEMBER

c: Jan L. Fisher, Topeka, Kansas
Eric R. Yost, Wichita, Kansas
Shannon S. Krysl, Administrative Law Judge
Philip S. Harness, Director